



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: FREELAND, Kenneth Wayne

Appln. No. 10/787,490

Group Art Unit: 3652

Filed: 26 February 2004

Examiner: Dean J. Kramer

For: MATTRESS CADDY

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TERMINAL DISCLAIMER

To the Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The requisite Terminal disclaimer fee under 37 CFR 1.20(d) is included herewith.

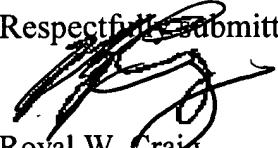
The applicant, Kenneth Wayne Freeland, an individual residing at 305 Wisewell Court, Baltimore, Maryland 21227, is the applicant and owner of One Hundred (100) percent interest in the instant application.

The applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,736,437. The applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,


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Date November 19, 2004

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